

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**TROY L. SOUTHWARD,**

**Plaintiff,**

**v.**

**DOUGLAS COUNTY DEPARTMENT  
OF CORRECTIONS,**

**Defendant.**

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**Case No. 8:07CV238**

**MEMORANDUM AND ORDER**

On October 29, 2007, the court entered a memorandum and order finding that the plaintiff had failed to pay the initial partial filing fee and directing the plaintiff to show cause why the case should not be dismissed for lack of prosecution. (Filing 11.) The plaintiff was given until November 28, 2007, to make a show cause filing, and was advised that the case would be dismissed without further notice if he failed to do so. (Id.) Because the plaintiff has failed to comply with the October 29th order,

IT IS ORDERED that the plaintiff's action is dismissed without prejudice. Judgment shall be entered by separate document.

December 6, 2007.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge